

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RUTH L RUCKMAN,

Plaintiff,

v.

ALFRED H CHAN,

Defendant.

CASE NO. C08-5532 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon the Government's Motion for Leave to File Supplemental Evidence in Support of the United States' Motion for Partial Default Judgment, or, in the Alternative, Partial Summary Judgment [Dkt. #177]. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

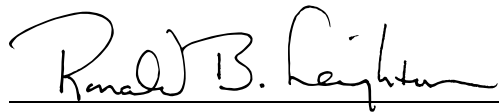
The government seeks to file a supplemental declaration attaching certain evidence related to their underlying substantive motion for partial default judgment or, alternatively, partial summary judgment. The evidence was not obtained until a day after the underlying motion was filed. No defendant has filed a response to the motion to file the supplemental evidence. Pursuant to CR7(b)(2), Local Rules W.D. Wash., "[i]f a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the

1 motion has merit.” A review of the motion reveals that it does have merit, and should be  
2 granted. Accordingly:

3 The Government’s Motion for Leave to File Supplemental Evidence [Dkt. #177] is  
4 **GRANTED.** The Court will consider the evidence attached to the Supplemental Declaration of  
5 Assistant United States Attorney David East [Dkt. #178] in deciding the Government’s Motion  
6 for Partial Default Judgment, or, in the Alternative, Partial Summary Judgment [Dkt. #172].

7 **IT IS SO ORDERED.**

8 Dated this 22<sup>nd</sup> day of November, 2011.

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11 RONALD B. LEIGHTON  
12 UNITED STATES DISTRICT JUDGE  
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